

In the drawings:

Figure 1 stands objected to because it should be designated by a legend such as—Prior Art—because only that which is old is illustrated. Appropriate correction has been made and is enclosed herewith.

### **Remarks**

Applicant respectfully requests reconsideration of this application as amended. Claims 13 and 20-26 have been amended. No claims have been cancelled or added. Therefore, claims 13-26 are presented for examination.

### **Drawings**

The drawings have been amended to place the drawings in better form for allowance. More specifically, Figure 1 has been amended to include the legend of "Prior Art." Applicant respectfully requests that the objections to the drawings be withdrawn.

### **35 U.S.C. §112 Rejection**

Claims 21-26 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has stated that Claims 21-26 are written in run-on (fused) sentence form which makes it difficult to understand the claims clearly.

Claims 21-26 have been amended to appear in better form for allowance. These claims are supported by pages 8-9 of the specification of the present application, as well as by original claims 5 and 7 (now cancelled).

### **35 U.S.C. §102(e) Rejection**

Claims 13 and 20 stand rejected under 35 U.S.C. §102(e) as being anticipated by Hariguchi et al. (U.S. Patent No. 6,665,297). Applicant submits that the present claims are patentable over Hariguchi.

Hariguchi discloses a deterministic routing table including a set of hash circuits and a content addressable memory (CAM). The routing table receives a destination address, searches for the longest matching address stored in any of the hash circuits and the CAM and outputs an output pointer associated with that destination address within a fixed predetermined time interval. (Hariguchi at col. 3, ll. 28-32.)

Claim 13 recites:

A method for load balancing among a plurality of servers in a server bank comprising:

receiving a data packet at a packet forwarding device to be forwarded to one of the plurality of servers in the server bank;

performing a hash function using one or more identifiers for the data packet to generate a hash value;

obtaining an address of one of the plurality of servers in the server bank from a server bank table by using the generated hash value as an index value for the address, wherein the server bank table includes an address of each server of the plurality of servers and an index value associated with each address; and

forwarding the data packet to the server in the server bank using the address found in the server bank table.

Applicant submits that Hariguchi does not disclose or suggest obtaining an address of one of the plurality of servers in the server bank from a server bank table by using a generated hash value as an index value for the address, wherein the server bank table includes an address of each server of the plurality of servers and an index value associated with each address, as disclosed by claim 13. Hariguchi discloses a routing table including a match determination stage and a selection stage. Both stages receive a destination address of a packet and determine matches of a pre-determined length with a stored address in the stages. The longest matches are selected, and then a corresponding pointer associated with the selected match is transmitted. (See Hariguchi at col. 5, ll. 15-31.)

However, this is not the same as using a hash value of a identifiers in a packet as an index value to a destination server address in server bank table, as disclosed by claim 1. The match determination and selection stages of Hariguchi receive a destination address and then, *by direct comparison of the destination address with addresses stored in the stage*, determine direct matches of certain lengths. (Id.) This is not the same as using a hashed value of identifiers in a packet as an index value in a server bank table, as disclosed by claim 1. Hariguchi then discloses that once a match is selected, these stages *only return a pointer*. (Id.) This is not the same as obtaining a server address directly from a server bank table using the hashed value of identifiers in a packet as an index value. Therefore, claim 13 is patentable over Hariguchi.

Claims 20 also recites, in part, obtaining an address of one of the plurality of servers in the server bank from a server bank table by using a generated hash value as an index value for the address, wherein the server bank table includes an address of each server of the plurality of servers and an index value associated with each address. As discussed above Hariguchi does not disclose or suggest such a feature. Therefore, claim 20 is also patentable over Hariguchi for the reasons discussed above with respect to claim 13.

### **35 U.S.C. §103(a) Rejection**

Claims 14-19 and 21-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hariguchi et al. (U.S. Patent No. 6,665,297) and Oki et al. (U.S. Patent No. 6,735,206). Applicant submits that the present claims are patentable over Hariguchi even in view of Oki.

Claims 14-19 depend from claim 13 and include additional limitations. Claims 21-26 depend from claim 20 and include additional limitations. As discussed above, Hariguchi

does not disclose or suggest the features of claims 13 or 20. Therefore, as dependent claims necessarily include the limitations of their independent claims, claims 14-19 and 21-26 are also patentable over Hariguchi. Oki does not cure the deficiencies of Hariguchi with respect to claims 13 or 20. Therefore, any combination of Hariguchi and Oki would not disclose or suggest the features of claims 14-19 or 21-26. As such, claims 14-19 and 21-26 are patentable over Hariguchi in view of Oki.

Applicant respectfully submits that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicant respectfully requests the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

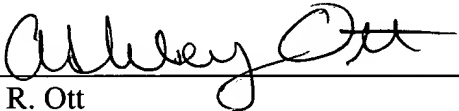
Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: August 10, 2005

  
\_\_\_\_\_  
Ashley R. Ott  
Reg. No. 55,515

12400 Wilshire Boulevard  
7<sup>th</sup> Floor  
Los Angeles, California 90025-1026  
(303) 740-1980